



BRISBANE CITY COUNCIL

ACTION MINUTES

DRAFT

MONDAY, MARCH 18, 2013

BRISBANE CITY HALL COMMUNITY MEETING ROOM, 50 PARK PLACE, BRISBANE

7:30 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Miller called the meeting to order at 7:32 p.m. and led the flag salute.

ROLL CALL

Councilmember's present:	Conway, Lentz, O'Connell, and Mayor Miller
Councilmember's absent:	None
Staff present:	City Manager Holstine, Administrative Services Director Schillinger, City Clerk Spediacci, Acting City Attorney Armento, Community Development Director Swiecki, Police Chief Macias, Public Works Director Breault, Senior Civil Engineer Kinser, Deputy Finance Director Cooper, Principal Analyst Saguisag-Sid

ADOPTION OF AGENDA (Deletions, Additions, Changes and Adoption)

CM Conway made a motion, seconded by CM Lentz, to adopt the agenda as proposed. The motion was carried unanimously by all present.

PRESENTATIONS

A. HIP Housing – Kate Comfort Harr, Executive Director

Ms. Harr gave a Powerpoint presentation outlining the current crisis in affordable housing and the programs HIP Housing offers in San Mateo County, which include the Home Sharing Program, the Self Sufficiency Program, and the Property Development Program. She talked about their outreach efforts and the services that were being provided directly to Brisbane residents.

After Councilmember questions and clarifications, they thanked Ms. Harr for her informative presentation.

CM Lentz asked if HIP Housing would like to set up an informational booth at the upcoming 5K Zippy Race Health Fair in the Community Park. Ms. Harr indicated that they would be happy to.

ORAL COMMUNICATIONS NO. 1

Elisa Primm spoke about the street sign in front of her home on San Bruno Avenue. She asked that the location of the sign be re-considered and that it be turned off at night when it is not needed. She also expressed her concern for cars speeding down the street.

Dee Dee Porter also spoke about the sign and speeding on San Bruno Avenue.

Jamie Dunn spoke about the cars on San Bruno Avenue, her concern that the Baylands development would be a major change for the Community, and about her attendance at the Parks and Recreation Conference she recently attended in San Jose.

CONSENT CALENDAR

CM Conway asked to remove Consent Calendar Item A.

B. Approve Monthly Investment Report as of November 30, 2012

C. Adopt Ordinance No. 580, waiving second reading, amending Brisbane Municipal Code Title 8 (Health and Safety) by adding Chapter 8.17 to incorporate all of the current requirements in County of San Mateo Ordinance #044637 prohibiting retail establishments from providing single use carry-out bags and requiring that retailers provide recycled paper bags or reusable bags at a minimum charge of 10 cents (escalating to 25 cents after Jan 1, 2015) per bag

D. Adopt Resolution No. 2013-07 ratifying and approving the agreement for purchase of real property identified as Assessor's Parcel Number 007-502-110 (Brisbane Acres Lot 98) and authorizing execution of closing documents on behalf of the City and approving a supplemental appropriation of \$80,000

CM Conway made a motion, seconded by CM O'Connell to approved Consent Calendar Items B, C & D as proposed. The motion carried unanimously by all present.

A. Approve City Council Minutes of March 4, 2013

CM Conway corrected a typographical error at the top of page 3 of the minutes. He then made a motion, seconded by CM O'Connell, to approve the minutes as amended. The motion carried unanimously by all present.

OLD BUSINESS

A. Consider approval of Community Park Use Permits

- 1. Zippy 5K Race on April 21, 2013**
- 2. Mothers of Brisbane Beer Garden at Zippy 5K Race Event**

Administrative Services Director Schillinger reviewed the background of the Excelsior Running Club's 5K Zippy Race proposal to hold this year's race in Brisbane and the Council's approval of the idea. He then reviewed the Use Permits that would need to be considered for the use of the Community Park, which included a Beer Garden in the Gazebo sponsored by BEST PTO and the Mothers of Brisbane (MOB).

DeeDee Porter, who submitted the use permit, answered questions from the Council about the proposed event including the fundraising benefactor and the sales of alcohol. She also read a letter from Rachel Ennis, co-president of BEST PTO, in support of the fundraising event.

Karen Cunningham asked that this event include the entire community and that others be allowed to set up booths for things such as health and wellness.

Jamie Dunn questioned the setting-aside of fees and the sales of alcohol at this event.

DeeDee Porter clarified that they would be selling many different refreshments and could call it a Refreshment Garden instead.

Elisa Primm clarified that the proceeds from the sales would go to the City for use in upgrading the Skatepark.

After Councilmember discussion, and staff clarification, a motion was made by CM Conway, seconded by CM Lentz, to waive the traffic encroachment and park use fees, to approve a not-to-exceed \$1,000 budget for staff overtime and equipment rental, and to call the Gazebo booth a Refreshment Garden. The motion carried unanimously by all present.

NEW BUSINESS

A. Direct staff to submit the 2012 Annual Housing Element Progress Report to the California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR)

Community Development Director Swiecki indicated that the City is required to prepare an annual report to the State of California on the City's progress in implementing the Housing Element which was adopted on January 18, 2011. He indicated that it was required to be in a format adopted by the California Department of Housing and Community Development.

After Councilmember clarification and discussion, CM O'Connell made a motion, seconded by CM Conway, to direct staff to submit the 2012 Annual Housing Element Progress Report to the HCD and the OPR as presented. The motion carried unanimously by all present.

B. Consider adoption of Resolution No. 2013-05 concerning the organization and operation of the Complete Streets Safety Committee

Director of Public Works Breault gave a background of the meetings and the issues that were recently discussed by the Mayor, the immediate past Mayor, and staff to consider how the city reviews and handles matters related to public transportation infrastructure. He reviewed the

existing committee functions of the Traffic Advisory Committee (TAC) and the Bicycle and Pedestrian Advisory Committee (BPAC). He indicated that there was a desire to combine the committee functions into one committee that would create an opportunity for a more integrated review of issues facing the city, and that would provide a single place to consider issues affecting pedestrians, bicyclists, people with disabilities, motorists, movers of commercial goods, and users and operators of public transportation. He indicated that the proposed Council resolution would create the Complete Streets Safety Committee (CSC), would dissolve the TAC and the BPAC, and would assign staff from the Police and Public Works Departments to assist the CSC.

Acting City Attorney Armento recommended an addition to the proposed Resolution at the bottom of page 2 so that the last sentence would read "The Complete Streets Safety Committee **is hereby created** and shall be governed by the following policies:"

After Councilmember discussion and clarification, CM Conway made a motion, seconded by CM O'Connell, to adopt the resolution as amended. The motion carried unanimously by all present.

C. Receive report on conceptual plan to sell Pension Obligation Bonds/Lease Revenue Bonds and direct staff to develop the required documents

Administrative Services Director Schillinger explained the recommendation outlined in the staff report which reduce the short-term payment of existing pension debt of the City without increasing future costs to the City or increasing the length of time needed to pay off the City's unfunded pension obligations.

He explained that if the Council wished to proceed with this plan, the next step would be to seek a private placement of the bonds. He further explained that after proposals were received for the sale of the bonds, staff would bring the proper documents back to a future Council meeting for review and final approval of sale.

After Councilmember questions and clarifications, CM Conway made a motion, seconded by CM O'Connell, to direct staff to develop and bring back to Council the required documents for consideration. The motion was carried unanimously by all present.

STAFF REPORTS

A. City Managers Report on upcoming activities

- Update regarding letter from Mayor to SamTrans in support of the revised final draft Samtrans Service Plan (SSP) Report

Principal Analyst Saguisag-Sid provided an update on the status of the Draft Final SamTrans Service Plan. She indicated that at the March 13th, 2013 SamTrans Board Meeting, the SSP Draft Final was presented to the Board. She said that based on the multiple comments received, the SSP was revised, keeping Route 292's service into San Francisco intact, with only a small route alignment change in downtown San Mateo, and Route 121's service for trippers was also kept intact. She also indicated that several public hearings would be held during the month of March, including one in Brisbane on Wednesday, March 20th at 6pm.

CM Holstine also gave an update about a recent meeting regarding the Affordable Care Act, otherwise known as "Obama Care" and the record keeping implications that would be needed as a result. He advised that staff would be coming to Council during the budget session to address the additional requirements.

MAYOR/COUNCIL MATTERS

A. Subcommittee Reports

- Report from CM Conway on High Speed Rail

Mayor Conway gave an update about the recent PCC meeting that he attended.

Mayor Miller updated the Council on the recent Council of Cities Meeting that he and CM Lentz attended where the topic of the recent change to the State law and the County Jail Re-alignment.

B. Consider Council Meeting Schedule

The Council approved the schedule as proposed.

C. Communications

- Letter from Senator Alex Padilla regarding SB 135 Statewide Earthquake Early Warning System

- Letter from Jobs for Youth

- Letter from San Mateo County Mayors' Committee for Employment of People with Disabilities

Due to the late hour the three letters were continued to the next City Council Meeting on April 1st.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

CLOSED SESSION

A. Liability Claim; Beverly Sambolin, pursuant to Government Code Section 54956.95

The Council took action to authorize payment of the claim in the amount recommended by the City's Risk Company.

ADJOURNMENT

The meeting was adjourned at 11:15 p.m.
Sheri Marie Spediacci, City Clerk